

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

| | | |
|----------------------------|---|--------------------------|
| ANTHONY WILLIAMS, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 04-12 |
| |) | Judge Gary L. Lancaster |
| LT. FORTE, <i>et al.</i> , |) | Magistrate Judge Caiazza |
| |) | |
| Defendants. |) | |

MEMORANDUM ORDER

Anthony William's civil rights complaint was received by the Clerk of Court on January 5, 2004, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The court has twice issued orders dismissing this case due to William's failure to provide directions and forms for service on the fifteen named defendants. Each time, however, Williams convinced the court that he deserves another opportunity. The Magistrate Judge's Report and Recommendation, filed on December 28, 2006, recommended again that this case be dismissed due to William's failure, after repeated direction, to provide proper forms for service. The parties were allowed ten days from the date of service of the report to file objections. Service was


made on the Plaintiff by First Class United States Mail delivered to the State Correctional Institution at Fayette. Objections were due on or before January 16, 2007. On January 22, 2007, Williams filed objections which included, in the alternative, a request that he be given more time to provide forms for service (Doc. 34). In an order entered January 23, 2007, Williams was directed to provide such forms on or before February 26, 2007 (Doc. 35). He was expressly informed that no further extensions would be granted, and that failure to comply would result in the dismissal of this action (Doc. 35). Williams has again failed to provide proper forms for service.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation and the objections thereto, the following order is entered:

AND NOW, this 6th day of March, 2007,

IT IS HEREBY ORDERED that this case is DISMISSED FOR FAILURE TO PROSECUTE.

The Report and Recommendation of Magistrate Judge Caiazza, (Doc. 32), dated December 28, 2006, is adopted as the opinion of the court.



Gary L. Lancaster
U.S. District Court Judge

cc: Anthony Williams, AY-6759
SCI Fayette
Box 9999
LaBelle, PA 15450-0999